RECORDER.

UNITED WE STAND; CONSTITUTION DIVIDED WE FALL.

Vol. IX. WEDNESDAY, DECEMBER 10, 1828. No. 459.

PRICE CURRENT

		Wilmington, Dec. 3.		Fayetteville, Dec. 4.		Newbern, Nov. 23.		Petersburg, Nov. 28.	
		cts.	cts.	cts.	cts.	cts.	cts.	cts.	cts.
Brandy, Cogniac,	gall.	120 a	125	150 a	175	150 a	175	125	200
Apple,	—	35	40	40		40	50	40	75
Peach,	—	—		50	60	50	60	45	75
Bacon,	lb.	8	10	6	8	6	7	6	7
Beeswax,	—	22	23	20	22	20		22	25
Butter,	—	15	16	15	20	21	25	12	25
Coffee,	—	14	15	14	16½	15	16	12½	17
Corn,	bush.	40	45	35	40	35	40	35	40
Cotton,	lb.	8½	9	8½	8½	8½	8½	9	9½
Candles, mould,	—	15	16	14		16		14	15
Flaxseed, rough,	bush.	—		90		70	80	—	
Flour,	bbl.	750	800	450	600	700	725	800	1000
Feathers,	lb.	—		25	28	35	40	—	
Gin, Holland,	gall.	100	110	125	150	125	150	100	125
Country,	—	40	42	50		45		35	
Iron,	ton.	—		—		—		10150	11500
Lard,	lb.	10		7	7½	8		6	7
Lime,	cask.	150	175	250	300	—		150	200
Molasses,	gall.	35	40	37	40	32½		35	40
Nails, Cut, assorted,	keg.	—		9		8	10	7½	8
Oats,	bush.	—		22	25	—			
Powder, American,	keg.	—		725	800	—		550	600
Rum, Jamaica,	gall.	125		125	150	120	125	150	200
West India,	—	110	112	70	8	80	95	100	150
New England,	—	35	40	45	50	45	50	42	45
Rice,	cwt.	300	325	350	400	3 0	325	400	500
Shot,	—	—		1000	1100	1000		750	800
Salt, Liverpool,	bush.	—		90		75	80	75	87
Turk's Island,	—	40	50	80		50	55	—	
Sugar, Brown,	cwt.	900	1200	1025	1200	900	10	800	1300
Loaf,	lb.	—		20	25	18	25	18	25
Tea, Imperial and Gunpowder,	—	—		150	175	160	180	125	150
Hyson,	—	—		130		125	150	—	
Young Hyson,	—	—		—		—		100	125
Tobacco,	cwt.	400	425	250	275		—	250	700
Tallow,	lb.	10		8		10		—	
Wheat,	bush.	—		100	105	100		120	140
Whiskey,	gall.	30	33	35	37	35		32	35
Wine, Madeira,	—	—		350	400	300	400	250	500
Teneriffe,	—	—		150	175	160	200	—	
Sherry,	—	—		160	225	200	250	—	
Port,	—	—		200	380	—		—	
Malaga,	—	—		—		200	12	—	

HILLSBOROUGH, N. C.

PUBLISHED WEEKLY

BY DENNIS HEARTT,

AT THREE DOLLARS A YEAR, OR TWO DOLLARS FIFTY CENTS IF PAID IN ADVANCE.

Those who do not give notice of their wish to have their paper discontinued at the expiration of the year, will be presumed as desiring its continuance until countermanded.—And no paper will be discontinued until all arrearages are paid, unless at the option of the publisher.

Any one will procure six subscribers, and guarantee the payments, shall receive the seventh gratis.

Advertisements not exceeding sixteen lines will be inserted three times for one dollar, and twenty-five cents for each continuance.

Subscriptions received by the printer, and most of the post-masters in the state.

All letters upon busines relative to the paper must be post-paid.

NOTICE.

HAVING purchased of Mr. WM. HUNTINGTON, his materials, &c., and rented the shop, I would inform the public that I will carry on the business in all its branches. All work in my line will be promptly attended to and well executed. I hope, by close application, to merit a continuance of the custom which has been so liberally given to this shop.

Lemuel Lynch.

*** *I can safely recommend Mr. Lynch to my customers, as a very attentive industrious young man, and a good workman.*

Wm. Huntington.

July 29. 40 tf

HILLSBOROUGH ACADEMY

THE examination will commence on Monday the 1st of December, and conclude on the evening of the following day. The exercises will be resumed on the first Monday in January.

W. J Bingham, *Principal.*

P.S. The Principal will receive a few boarders.

November 18. 56—tf

Watches, Jewellery, &c.

JUST received a fresh supply of WATCHES, JEWELLERY, &c. which will be sold low for cash.

Lemuel Lynch

October 21. 52—

NOTICE.

THE subscriber having qualified, at the last term of the Court of Pleas and Quarter Sessions for this county, as administrator to the estate of PARRY SUTTON, deceased: notice is therefore given to all persons indebted to said estate to come forward and make immediate payment; and those having claims against the estate to present them, properly authenticated, within the time prescribed by law, or this notice will be plead in bar of their recovery.

Absalom Harvey, *Adm'r.*

Nov. 28. 58—3w

NOTICE.

WILL be hired out, on the 29th instant, before the court house door in Hillsborough, for the ensuing year, the Negroes belonging to Richard Ashe's estate.

Ed. Strudwick, *Guardian.*

Dec. 2. 58—3w

NOTICE.

WILL be hired out, on Monday the 29th day of December inst. the Negroes belonging to the estate of Wm. F. Strudwick.

James Webb, *Guardian*

December 2. 58—3w

State of North Carolina,

CHATHAM COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1828.

Sally Gilbert, Aaron Moffett and Finity his wife, Daniel Perry and Nancy his wife, Polly Jones, Valeria Jones, by her guardain Jacob Johnson, Nancy Jones and John Jones, by their guardian Nathaniel G. Smith,

vs

Richard Jones, Benjamin Jones, James Gilbert and Mary his wife, and the heirs at law of William Jones, deceased.

IT appearing to the court that the defendants in this case are not inhabitants of this state, it is therefore ordered that notice of the filing of this petition be given, by advertisment in the Hillsborough Recorder, for six weeks, and that the defendants appear and plead, answer or demur thereto, or the same will be taken as confessed.

Thos. Ragland, c. c. c.

Dec. 2 58—6w

NOTICE.

LOST or mislaid, a bond made by David Fogleman, payable to Nathaniel Newlin the 9th of the tenth month in 1826, bearing date the 23d of the eighth month, 1826, for one hundred dollars, with three small credits endorsed upon it. All persons are forewarned trading for said bond, and David Fogleman from paying it to any person but myself.

Samuel Woody,

Agent for Nathaniel Newlin.

10th mo. 24. 58—3wp

PUBLIC SALE.

WILL be sold, on Thursday the 18th of December, at the late dwelling-house of Parry Sutton, deceased, all his personal property, consisting of horses, cows, hogs, oats, corn, fodder, two wagons, still and stilling vessels, farming utensils, and household and kitchen furniture. Twelve months credit will be given, the purchaser giving bond with approved security.

On the same day, the plantation whereon the deceased formerly lived, will be rented for the term of twelve months.

Absalom Harvey, *Adm'r.*

Nov. 28. 58—3w

BLANKS

FOR SALE AT THIS OFFICE.

LEGISLATURE OF

NORTH CAROLINA.

HOUSE OF COMMONS.

Monday, November 24.

Mr. Potter withdrew the resolution, presented by him on Saturday last, relative to the banks, and submitted the following

Whereas the large interest which the state of North Carolina has vested in the several banks of this state renders it necessary that the representatives of the people should thoroughly investigate the conduct and condition of said banks; and whereas the charters will expire on the 1st of January, 1835, and experience and prudence advise us, before the termination of said charters, to procure correct information upon which the legislature may act understandingly in discontinuing or extending the charters of the present banks, or in establishing such other institutions as the good sense and best interest of the people may require: Therefore,

Resolved, That the committee, to whom so much of the governor's message as relates to the banks, is referred, be authorised and empowered to send for such persons and papers as may be necessary to a full investigation of the subject matter committed to their charge.

Resolved, That a message be sent to the senate, with a proposition to raise a select committee of nine members, to be added to the committee already raised by this house, on so much of the governor's message as relates to the banks; and that the said committee so united, be a joint committee of both houses on that subject, and be clothed with the same powers as are now committed to the select committee of this house on that subject.

The said resolution was sent to the senate for concurrence.

Mr. Gaston, from the committee appointed to superintend the balloting for Senator in Congress, reported that Jacob Branch is duly elected; which report was concurred in.

A message from the senate, proposing to ballot on Friday next for attorney general, and informing that Romulus M. Saunders and Charles Manly are in nomination. The proposition was agreed to, and the names of Priestly H. Mangum, Thomas W. Ackledge and Thomas P. Devereux were added to the nomination.

Mr. Alexander, from the committee appointed to conduct the balloting for solicitor in the first judicial circuit, reported that John L. Bailey is duly elected; which report was concurred in.

A message from the senate, proposing to ballot to-morrow for a senator to supply the place of Nathaniel Macon, resigned, and stating that the name of Montfort Stokes, is in nomination; which message was ordered to lie on the table.

On motion of Mr. Wyche, the judiciary committee were instructed to inquire into the expediency of limiting by law the allowance to be made to clerks and masters in Equity, and others, for selling lands and collecting and accounting for the proceeds thereof, in all cases where Courts of Equity shall decree a sale by virtue of the act of 1812, chapter 847 and the several acts subsequently passed amendatory thereof.

On motion of Mr. Newland, the same committee were instructed to inquire into the expediency of amending the law in relation to excuses to be admitted by overseers of roads for non-performance of their duty.

And, on motion of Mr. Swain, the same committee were instructed to inquire into the expediency of providing by law that it shall be the duty of the several judges of the Superior Courts, at the request of either the plantiff or defendant, to reduce his charges, so far as regards the law of the case, to writing, and read it to the jury; and that the charge so written shall, in all cases of appeal, make a part of the record.

Mr. Edmonston, from the committee on so much of the governor's message as relates to the memorial from sundry citizens of Haywood county, reported a "bill concerning certain lands purchased at the sales of the commissioners in Haywood county." The report was concurred in, and the bill read the first time and passed.

The engrossed bill to repeal the act of 1823, regulating the County Courts of Richmond, was read the first time and passed.

Mr. Sharpe presented a bill prescribing the manner in which field officers shall be recommended to the General Assembly; which was read the first time, passed and referred to the military committee.

Mr. Hancock presented a bill to prevent the falling of timber in, or otherwise obstructing the channel of Uharrie and Richland Creek, in Randolph county; which passed its several readings, and was ordered to be engrossed.

The bill to alter the names of, and legitimate Benjamin M. Ezell and Robert M. Ezell, was read the third time, passed, and ordered to be engrossed.

A message from the senate, proposing to raise a joint select committee of nine members on the part of each house, to take into consideration so much of the governor's message as relates to the banks and circulating medium; which on motion of Mr. Potter, was laid on the table.

On motion of Mr. A. Williams,

Resolved, That so much of the governor's message as relates to a Penitentiary and Lunatic Asylum, be referred to a joint select committee; and that a message be sent to the senate to that effect.

The speaker laid before the house a report from the public treasurer on the subject of the banks, which was read and sent to the senate, with a proposition that it be printed and referred to the committee on the banks.

Tuesday, Nov. 25.

The bill concerning the County Courts of Nash, and the bill to authorise the committee of finance of Iredell county to settle with the commissioners of Statesville, passed their several readings, and were ordered to be enrolled.

On motion of Mr. Vail, the committee on education, were instructed to inquire what further provision ought to be made by law in order to make it the duty of the trustees of the University to make an annual report to the legislature of the state and condition of that institution, the value of any property they may receive from individuals by

ther real or personal, which they may recover by virtue of the laws now in force vesting certain escheated property in them, how much they have recovered, how much they have sold, what sum it sold for, in what way they have disposed of it, and what remains on hand in money or otherwise.

A message from the senate, stating that the name of James Iredell is added to the nomination for senator, and that of Robert H. Jones for attorney general.

Mr. Swain presented a bill for the relief of sundry persons employed in surveying the Cherokee lands; which passed its first reading.

On motion of Mr. T. Webb, the judiciary committee were instructed to inquire into the policy and expediency of providing by law for the revision of the acts of assembly of this state.

Mr. Swain presented a bill to form out of part of the counties of Burk and Buncombe a separate and distinct county; which was read and sent to the senate, with a proposition to refer it to a joint select committee; and informing that Messrs. Swain, Gaston, Nash, Hellen and Graham form the committee on the part of this house.

On motion of Mr. Clement, the judiciary committee were instructed to inquire into the expediency of so amending the existing law, relative to administrators, and executors, by statute, as to render their powers co-equal and co-extensive; and also, whether any, and if any, what alteration is necessary or expedient in the laws, as they now exist, relative to trials before magistrates, when the defendants are executors or administrators.

On motion of Mr. Brittain,

Resolved, That all resolutions, the object of which is to draw money out of the public treasury, shall be read three times on three several days.

Mr. Calloway presented a bill to authorise the issuing treasury notes; and for the appropriating the same to the several counties in this state; which was read the first time, passed, and referred to the committee of finance.

Mr. N. G. Smith presented a bill to prevent the importation of slaves into this state; which was read the first time, passed, and referred to the judiciary committee.

Mr. Fisher presented a resolution, instructing the select committee on the banks to inquire into the expediency of adopting some measure for improving the present condition of the banks, and particularly whether it be practicable to consolidate the several banks into one, to be called the Bank of the State; and whether such consolidation can be accomplished on certain principles, named in the resolution. The resolution was adopted and ordered to be printed.

On motion of Mr. Gaston, the same committee were instructed to inquire into the expediency of providing for a gradual diminution of the capital stock of the banks, by authorising them to receive stock of shares in payment of debts on sucht erms as may be compatible with justice, the convenience of debtors, the claims of creditors, the rights of the stockholders, and the interests of the community.

The Speaker laid before the House, a copy of the Land Laws transmitted by the general government, for the use of this state; which was referred to the library committee.

Wednesday, Nov. 26.

On motion of Mr. A. Williams, so much of the governor's message as relates to a Penitentiary and Lunatic Asylum, was referred to a select joint committee, to consist, on the part of this house, of Messrs. Williams of Davidson, Spruill, Gary, Bethell and Fisher.

The engrossed bill to repeal the act of 1823, regulating the County Courts of Richmond, passed its second and third readings, and was ordered to be engrossed.

Mr. J. B. Smith presented a bill to repeal the act of 1826, prohibiting the justices of the County Courts of Brunswick, Currituck and Moore, from allowing extra service to the county officers; which passed its several readings, and was ordered to be engrossed.

On motion of Mr. Jones, of Rowan, the judiciary committee were instructed to inquire into the expediency of providing by law for the taking of the depositions of the governor and the judges of the Supreme and Superior Courts, to be read as evidence in all civil causes, whenever these officers are engaged in their official duties; and also for the taking of depositions in all

be inflicted does not extend to the privation of life or member.

Mr. Hellen from the select committee on the subject, reported the bill to amend the act of 1800 concerning wrecks, with amendments. The bill was read the second time as amended, and passed.

On motion of Mr. Cox, the judiciary committee were instructed to inquire into the expediency of so amending the law relative to the levying of executions by constables on insolvent debtors' lands, as to include all the executions which may be in the hands of a constable in one scire facias, and thereby incur thereon but one set of costs.

The bill to alter the time and places of holding the election in Greene county, passed its second and third readings, and was ordered to be engrossed.

A message from the senate, proposing to raise a joint select committee on the Public Library, was agreed to, and Messrs. Graham, Thomas Webb and Cox were appointed on the part of this house.

A select committee was appointed, consisting of Messrs. Newland, Gaston, Shipp, Mitchell and Waddell, to amend, revise and consolidate the several acts relative to roads, bridges and ferries, and the overseers and keepers thereof.

On motion of Mr. John Smith, the judiciary committee were instructed to report a bill requiring executors, at the time of their qualification, and from time to time afterwards, upon notice to the executors and application to the County Courts, to give bond with sufficient security for the faithful management of the estates committed to their charge, in an amount equal to the debts which shall be due from their testators.

Mr. Sharpe presented a bill to repeal in part the 3d section of the act of 1806, revising the militia laws relative to infantry, and to repeal the 9th and 10th sections of the act of 1813, amending the militia laws; and Mr. Cooper, a bill to amend the act of 1820, extending the jurisdiction of a justice of the peace; which were read the first time and passed, and the latter referred to the judiciary committee.

The resolution, from the senate, authorising the committee of finance to burn treasury notes, was read and adopted.

Received from the governor a memorial from the chiefs of the Tuscarora nation; which was sent to the senate, with a proposition that it be referred to a select joint committee. Messrs. Gray, Bynum, Spruill, Mhoon and Pierce form the committee on the part of this house.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES,

Communicated to both Houses, at the commencement of the Second Session of the Twentieth Congress.

To the Senate and House of Representatives of the United States.

Fellow Citizens of the Senate,
and of the House of Representatives:

In the enjoyment of the profusion of the bounties of Providence forms a suitable subject of mutual gratulation and grateful acknowledgment, we are admonished at this return of the season, when the representatives of the nation are assembled to deliberate upon their concerns, to offer up the tribute of fervent and grateful hearts, for the never-failing mercies of Him who ruleth over all. He has again favored us with healthful seasons and abundant harvests. He has sustained us in peace with foreign countries, and in tranquility within our borders. He has preserved us in the quiet and undisturbed possession of civil and religious liberty. He has crowned this year with his goodness, imposing on us no other conditions than of improving for our own happiness the blessings he owed by his hands, and, in the fruition of all his favors, of devoting the faculties with which we have been endowed by him to his glory and to our own temporal and eternal welfare.

In the relations of our federal union with our brethren of the human race, the changes which have occurred since the close of your last session, have generally tended to the preservation of peace and to the cultivation of harmony. Before your last separation a war had unhappily been kindled between the emperor of Russia, one of those with which our intercourse has been no other than a constant exchange of good offices, and that of the Ottoman Porte, a nation from which geographical distance, religious opinions, and maxims of government on their part, little suited to the formation of those bands of mutual benevolence which result from the benefits of commerce, had kept us in a state, perhaps too much prolonged, of coldness and alienation. The extensive, fertile, and populous dominions of the Sultan, belong rather to the Asiatic, than the European division of the human family. They enter but partially into the system of Europe; nor have their wars with Russia and Austria, the European states upon which they border, for more than a century past, disturbed the pacific relations of those states with the other great powers of Europe. Neither France, nor Prussia, nor Great Britain, has ever taken part in them; nor is it to be expected that they will at this time. The declaration of war by Russia has received the approbation or acquiescence of her allies, and we may indulge the hope that its progress and termination will be signalized by the moderation and forbearance, no less than by the energy of the emperor Nicholas, and that it will afford the opportunity for such collateral agency in behalf of the suffering Greeks, as will secure to them ultimately the triumph of humanity and of freedom.

The state of our particular relations with France, has scarcely varied in the course of the present year. The commercial intercourse between the two countries has continued to increase for the mutual benefit of both. The claims of indemnity to numbers of our fellow citizens for depredations upon their property heretofore committed, during the revolutionary governments, still remain unadjusted, and still form the subject of earnest representation and remonstrance. Recent advices from the minister of the United States at Paris encourage the expectation that the appeal to the justice of the French government will ere long receive a favorable consideration.

The last friendly expedient has been resorted to for the decision of the controversy with Great Britain, relating to the north eastern boundary of the United States. By an agreement with the British government, carrying into effect the provisions of the fifth article of the treaty of Ghent, and the convention of 29th. Sept. 1827. His majesty the king of the Netherlands has by common consent been selected as the umpire between the parties. The proposal to him to accept the designation for the performance of this friendly office will be made at an early day, and the United States, relying upon the justice of their cause, will cheerfully commit the abitrament of it to a prince equally distinguished for the independence of his spirit, his indefatigable assiduity to the duties of his station, and his inflexible personal probity.

Our commercial relations with Great Britain will deserve the serious consideration of congress, and the exercise of a conciliatory and forbearing spirit in the policy of both governments. The state of them has been materially changed by the act of congress passed at their last session, in alteration of the several acts imposing duties on imports, and by acts of more recent date of the British parliament. The effect of the interdiction of direct trade commenced on Great Britain, and reciprocated by the United States, has been, as was to be foreseen, only to substitute different channels for an exchange of commodities indispensable to the colonies, and profitable to a numerous class of our fellow citizens. The exports, the revenue, the navigation of the United States, have suffered no diminution by our exclusion from direct access to the British colonies. The colonies pay more dearly for the necessaries of life, which their government burdens with the charges of double voyages, freight, insurance and commission, and the profits of our exports are somewhat impaired, and more injuriously transferred from one portion of our citizens to another. The resumption of this old and otherwise exploded system of colonial exclusion has not secured to the shipping interest of Great Britain the relief which, at the expense of the distant colonies, and of the United States, it was expected to afford. Other measures have been resorted to more pointedly bearing upon the navigation of the United States, and which, unless modified by the construction given to the recent acts of parliament, will be manifestly incompatible with the positive stipulations of the commercial convention existing between the two countries. That convention, however, may be terminated, with twelve months' notice, at the option of either party.

A treaty of amity, navigation and commerce between the United States and his majesty the emperor of Austria, king of Hungary and Bohemia, has been prepared for signature by the secretary of state, and by the Baron de Lederer, intrusted with full powers of the Austrian government. Independently of the new and friendly relations which may be thus commenced with one of the most eminent and powerful nations of the earth, the occasion has been taken in it, as in other recent treaties concluded by the United States, to extend those principals of liberal intercourse and of fair reciprocity which intertwine with the exchanges of commerce, the principles of justice, and the feelings of mutual benevoleoce. This system, first proclaimed to the world in the first commercial treaty ever concluded by the United States, that of 6th February, 1778, with France, has been invariably the cherished policy of our union. It is by treaties of commerce alone that it can be made ultimately to prevail as the established system of all civilized nations. With this principle our fathers extended the hand of friendship to every nation of the globe, and to this policy our country has ever since adhered—whatever of regulation in our laws has ever been adopted unfavorable to the interest of any foreign nation, has been essentially defensive and counteracting to similar operations of theirs operating against us.

Immediately after the close of the war of independence, commissioners were appointed by the congress of the confederation, authorized to conclude treaties with every nation of Europe disposed to adopt them. Before the wars of the French revolution, such treaties had been consummated with the United Netherlands, Sweden, and Prussia. During those wars, treaties with Great Britain and Spain had been effected, and those with Prussia and France renewed. In all these, some concessions to the liberal principles of intercourse proposed by the United States had been obtained; but as, in all the negotiations, they came occasionally in collision with previous internal regulations, or exclusive and excluding compacts of monopoly, with which the other parties had been trammelled, the advances made in them towards the freedom of trade were partial and imperfect. Colonial establishments, chartered companies, and ship building influence, pervaded and encumbered the legislation of all the great commercial states; and the United States, in offering free trade and equal privilege to all, were compelled to acquiesce in many exceptions with each of the parties to their treaties, accommodated to their existing laws and anterior engagements.

The colonial system by which this whole hemisphere was bound has fallen into ruins. Totally abolished by revolutions, converting colonists into independent nations, throughout the two American continents, excepting a portion of territory chiefly at the northern extremity of our own, and confined to the remnants of dominion retained by Great Britain over the insular Archipelago, geographically the appendages of our part of the globe. With all the rest we have free trade—even with the insular colonies of all the European nations, except Great Britain. Her government also had manifested approaches to the adoption of a free and liberal intercourse between her colonies and other nations, though, by a sudden and scarcely explained revulsion, the spirit of exclusion has been revived for operation upon the United States alone.

The conclusion of our last treaty of peace with Great Britain was shortly afterwards followed by a commercial convention, placing the direct intercourse between the two countries upon a footing of more equal reciprocity than had ever before been admitted. The same principle has since been much farther extended by treaties with France, Sweden Denmark, the Hanseatic cities, Prussia, in Europe, and with the republics of Colombia, and of Central America, in this hemisphere. The mutual abolition of discriminating duties and charges, upon the navigation and commercial intercourse between the parties, is the general maxim which characterizes them all. There is reason to expect that it will, at no distant period, be adopted by other nations, both of Europe and America, and to hope that by its universal prevalence, one of the fruitful sources of wars of commercial competition will be extinguished.

Among the nations upon whose governments many of our fellow citizens have had long pending claims of indemnity, for depredations upon their property during a period when the rights of neutral commerce were disregarded, was that of Denmark. They were, soon after the events occurred, the subject of a special mission from the U. States, at the close of which the assurance was given by his Danish majesty, that, at a period of more tranquility, and of less distress, they would be considered, examined, and decided upon, in a spirit of determined purpose for the dispensation of justice. I have much pleasure in informing congress, that the fulfilment of this honorable promise is now in progress; that a small portion of the claims has already been settled to the satisfaction of the claimants; and that we have reason to hope that the remainder will shortly be placed in a train of equitable adjustment. This result has always been confidently expected, from the character of personal integrity and of benevolence which the sovereign of the Danish dominions has, through every vicissitude of fortune, maintained.

The general aspect of the affairs of our neighbouring American nations of the south has been rather of approaching than of settled tranquility. Internal disturbances have been more frequent among them than their common friends would have desired. Our intercourse with all has continued to be that of friendship, and of mutual good will. Treaties of commerce and of boundaries with the United Mexican States have been negotiated, but, from various successive obstacles, not yet brought to a final conclusion. The civil war which unfortunately still prevails in the republic of Central America, has been unpropitious to the cultivation of our commercial relations, with them: and the dissentions and revolutionary changes in the republics of Colombia and Peru, have been seen with cordial regret by us, who would gladly contribute to the happiness of both. It is with great satisfaction, however, that we have witnessed the recent conclusion of a peace between the governments of Buenos Ayres and Brazil; and it is equally gratifying to observe that indemnity has been obtained for some of the injuries which our fellow citizens had sustained in the latter of those countries. The rest are in a train of negotiation, which we hope may terminate to mutual satisfaction, and that it may be succeeded by a treaty of commerce and navigation upon liberal principles, propitious to a great and growing commerce, already important to the interests of our country.

The condition and prospects of the revenue are more favourable than our most sanguine expectations had anticipated. The balance in the treasury on the first of January last, exclusive of the moneys received under the convention of 13 November, 1826, with Great Britain, was five millions eight hundred and sixty one thousand nine hundred and seventy two dollars, and eighty-three cents. The receipts into the treasury from the first of January to the 30th of September last, so far as they have been ascertained to form the basis of an estimate, amount to eighteen millions six hundred and thirty-three thousand nine hundred and eighty dollars and twenty seven cents, which, with the receipts of the present quarter, estimated at five millions four hundred and sixty-one thousand two hundred and eighty-three dollars and forty cents, form an aggregate of receipts during the year of twenty-four millions and ninety-four thousand eight hundred and sixty-three dollars and sixty-seven cents. The expenditures of the year may probably amount to twenty-five millions six hundred and thirty-seven thousand five hundred and eleven dollars and sixty three cents; and leave in the treasury on the first of January next, the sum of five millions one hundred and twenty-five thousand six hundred and thirty-eight dollars, and fourteen cents.

The receipts of the present year have amounted to near two millions more than was anticipated at the commencement of the last session of congress.

The amonut of duties secured on importations from the first of January to the 30th of September, was about twenty-two millions nine hundred and ninety seven thousand, and that of the estimated accruing revenue is five millions, leaving an aggregate for the year of near twenty-eight millions. This is one million more than the estimate made last December for the accruing revenue of the present year, which, with allowances for drawbacks and contingent deficiences, was expected to produce an actual revenue of twenty-two millions three hundred thousand dollars. Had these only been realized, the expenditures of the year would have been also proportionably reduced. For of these twenty-four millions received, upwards of nine millions have been applied to the extinction of public debt bearing an interest of six per cent a year, and of course reducing the burden of interest annually payable in future, by the amount of more than half a million. The payments on account of interest during the current year exceed three millions of dollars; presenting an aggregate of more than twelve millions applied during the year to the discharge of the public debt, the whole of which remaining due on the first of January next, will amount only to fifty-eight millions three hundred and sixty-two thousand one hundred and thirty five dollars, seventy-eight cents.

That the revenue of the ensuing year will not fall short of that received in the one now expiring, there are indications which can scarcely prove deceptive. In our country, an uniform experience of forty years has shown that whatever the tariff of duties upon articles imported from abroad has been, the amount of importations has always borne an average value nearly approaching to that of the exports, though occasionally differing in the balance, sometimes more, and sometimes less. It is, indeed, a general law of prosperous commerce, that the real value of exports should, by a small, and only a small balance, exceed that of imports, that balance being a permanent addition to the wealth of the nation. The extent of the prosperous commerce of the nation must be regulated by the amount of its exports; and an important addition to the value of these will draw after it a corresponding increase of importations. It has happened, in the vicissitudes of the seasons, that the harvests of all Europe have, in the late summer and autumn, fallen short of their usual average. A relaxation of the interdict upon the importation of grain and flour from abroad has ensued; a propitious market has been opened to the granaries of our country; and a new prospect of reward presented to the labors of the husbandman, which, for several years, has been denied. This accession to the profits of agriculture in the middle and western portions of our union is accidental and temporary. It may be, as has been often experienced in the revolutions of time, but the first of several scanty harvests in succession. We may consider it certain that, for the approaching year, it has added an item of large amount to the value of our exports, and that it will produce a corresponding increase of importations. It may, therefore, confidently be foreseen that the revenue of 1829 will equal, and probably exceed, that of 1828, and will afford the means of extinguishing ten millions more of the principal of the public debt.

This new element of prosperity to that part of our agricultural industry which is occupied in producing the first article of human subsistence, is of the most cheering character to the feelings of patriotism. Proceeding from a cause which humanity will view with concern, the sufferings of scarcity in distant lands, it yields a consolatory reflection, that this scarcity is in no respect attributable to us: that it comes from the dispensation of Him who ordains all in wisdom and goodness, and who permits evil itself only as a good: that, far from contributing to this scarcity, our agency will be applied only to the alleviation of its severity, and that in pouring forth, from the abundance of our own garners, the supplies which will partially restore plenty to those who are in need, we shall ourselves reduce our stores, and add to the price of our own bread, so as in some degree to participate in the wants which it will be the good fortune of our country to relieve.

The great interests of an agricultural, commercial, and manufacturing nation, are so linked in union together, that no permanent cause of prosperity to one of them can operate without extending its influence to the others. All these interests are alike under the protecting power of the legislative authority; and the duties of the representative bodies are to conciliate them in harmony together. So far as the object of taxation is to raise a revenue for discharging the debts and defraying the expenses of the community, it should as much as possible suit the burden with equal hand upon all, in proportion with their ability of bearing it without oppression. But the legislation of one nation is sometimes intentionally made to bear heavily upon the interests of another. That legislation, adapted as it is meant to be, to the special interests of its own people, will often press most unequally upon the several component interests of its neighbors. Thus, the legislation of Great Britain, when, as has recently been avowed, adapted to the depression of a rival nation, will naturally abound with regulations of interdict upon the productions of the soil or industry of the other which come in competition with its own, and will present encouragement, perhaps even bounty, to the raw material of the other state, which it cannot produce itself and which is essential for the use of its manufactures, competitors in the markets of the world with those of its commercial rival. Such is the state of the commercial legislation of Great Britain, as it bears upon our interests. It excludes with interdicting duties, all importations (except in time of approaching famine) of the great staple productions of our middle and western states; it proscribes, with equal rigor, the bulkier lumber and live stock of the same portion, and also of the northern and eastern part of our union. It refuses even the rice of the south, unless aggravated with a charge of duty upon the northern carrier who brings it to them. But the cotton, indispensable for their looms, they will receive almost duty free, to weave it into a fabric for our own wear, to the destruction of our own manufactures, which they are enabled thus to undersell. Is the self-protecting energy of this nation so helpless that there exists, in the political institutions of our country, no power to counteract the bias of this foreign legislation? that the growers of grain must submit to this exclusion from the foreign markets of their produce; that the shippers must dismantle their ships, the trade of the north stagnate at the wharves, and the manufacturers starve at their looms, while the whole people shall pay tribute to foreign industry to be clad in a foreign garb; that the congress of the union are impotent to restore the balance in favor of native industry destroyed by the statutes of another realm? More just and more generous sentiments will, I trust, prevail. If the tariff adopted at the last session of congress shall be found, by experience, to bear oppressively upon the interests of any one section of the union, it ought to be, and I cannot doubt will be, so modified as to alleviate its burden. To the voice of just complaint from any portion of their constituents, the representatives of the states and the people will never turn away their ears. But so long as the duty of the foreign shall operate only as a bounty upon the domestic article—while the planter, and the merchant, and the shepherd, and the husbandman, shall be found thriving in their occupations under the duties imposed for the protection of domestic manufactures, they will not repine at the prosperity shared with themselves by their fellow citizens of other professions, nor denounce as violations of the constitution the deliberate acts of congress to shield from the wrongs of foreign laws the native industry of the union. While the tariff of the last session of congress was a subject of legislative deliberation, it was foretold by some of its opposers that one of its necessary consequences would be to impair the revenue. It is yet too soon to pronounce, with confidence, that this prediction was erroneous. The obstruction of one avenue of trade not unfrequently opens an issue to another. The consequence of the tariff will be to increase the exportation, and to diminish the importations of some specific articles. But, by the general law of trade, the increase of exportation of one article will be followed by an increased importation of others, the duties upon which will supply the deficiences, which the diminished importation would otherwise occasion. The effect of taxation upon revenue can seldom be foreseen with certainty. It must abide the test of experience. As yet no symptoms of diminution are perceptible in the receipts of the treasury. As yet, little addition of costs has been experienced upon the articles burdened with heavier duties by the last tariff. The domestic manufacturer supplies the same or a kindred article at a dimished price, and the consumer pays the same tribute to the labor of his own countrymen, which he must otherwise have paid to foreign industry and toil.

The tariff of the last session was, in its details, not acceptable to the great interests of any portion of the union, not even to the interest which it was specially intended to subserve. Its object was to balance the burdens upon native industry imposed by the operation of foreign laws; but not to aggravate the burdens of one section of the union by the relief afforded to another. To the great principle sanctioned by that act, one of those upon which the constitution itself was formed, I hope and trust the authorities of the union will adhere. But if any of the duties imposed by the act only relieve the manufacturer by aggravating the burden of the planter, let a careful revisal of its provisions, enlightened by the practical experience of its effects, be directed to retain those which impart protection to native industry, and remove or supply the place of those which only alleviate one great national interest by the depression of another.

The United States of America, and the people of every state of which they are composed, are each of them sovereign powers. The legislative authority of the whole is exercised by congress under authority granted them in the common constitution. The legislative power of each state is exercised by assemblies deriving their authority from the constitution of the state. Each is sovereign within its own province. The distribution of power between them presupposes that these authorities will move in harmony with each other. The members of the state and general governments are all under oath to support both, and allegiance is due to the one and to the other. The case of a conflict between these two powers has not been supposed; nor has any provision been made for it in our institutions; as a virtuous nation of ancient times existed more than five centuries without a law for the punishment of paracide.

More than once, however, in the progress of our history, have the people and the legislatures of one or more states, in moments of excitement, been instigated to this conflict; and the means of effecting this impulse have been allegations that the acts of congress to be resisted were *unconstitutional*. The people of no one state have ever delegated to their legislature the power of pronouncing an act of congress unconstitutional; but they have delegated to them powers, by the exercise of which the execution of the laws of congress within the state may be resisted. If we suppose the case of such conflicting legislation sustained by the corresponding executive and judicial authorities, patriotism and philanthropy turn their eyes from the condition in which the parties would be placed, and from that of the people of both, which must be its victims.

The reports from the secretary of war, and from the various subordinate offices of the resort of that department, present an exposition of the public administration of affairs connected with them, through the course of the current year. The present state of the army, and the distribution of the force of which it is composed, will be seen from the report of the major general. Several alterations in the disposal of the troops have been found expedient in the course of the year, and the discipline of the army, though not entirely free from exception, has been generally good.

The attention of congress is particularly invited to that part of the report of the secretary of war which concerns the existing system of our relations with the Indian tribes. At the establishmsnt of the federal government, under the present constitution of the United States, the principle was adopted of considering them as foreign and independent powers; and also as proprietors of lands. They were, moreover, considered as savages, whom it was our policy and our duty to use our influence in converting to christianity, and in bringing within the pale of civilization.

As independent powers, we negotiated with them by treaties; as proprietors, we purchased of them all the lands which we could prevail upon them to sell; as brethren of the human race, rude and ignorant, we endeavored to bring them to the knowledge of religion and of letters. The ultimate design was to incorporate in our own institutions that portion of them which could be converted to the state of civilization. In the practice of European states, before our revolution, they had been considered as children to be governed; as tenants at discretion to be dispossessed as occasion might require; as hunters, to be indemnified by trifling concessions for removal from the grounds upon which their game was extirpated. In changing the system, it would seem as if a full contemplation of the consequences of the change had not been taken. We have been far more successful in the acquisition of their lands than in imparting to them the principles, or inspiring them with the spirit of civilization. But in appropriating to ourselves their hunting grounds, we have brought upon ourselves the obligation of providing them with subsistence; and when we have had the rare good fortune of teaching them the arts of civilization, and the doctrines of christianity, we have unexpectedly found them forming, in the midst of ourselves, communities claiming to be independent of ours, and rivals of sovereignty within the territories of the members of our union. This state of things requires that a remedy should be provided. A remedy which, while it shall do justice to those unfortunate children of nature, may secure to the members of our confederation their right of sovereignty and of soil. As the outline of a project to that effect, the views presented in the report of the secretary of war are recommended to the consideration of congress.

The report from the engineer department presents a comprehensive view of the progress which has been made in the great systems promotive of the public interest, commenced and organized under the authority of congress, and the effects of which have already contributed to the security, as they will hereafter largely contribute to the honour and dignity of the nation.

The first of these great systems is that of fortifications, commenced immediately after the close of our last war, under the salutary experience which the events of that war had impressed upon our countrymen of its necessity. Introduced under the auspices of my immediate predecessor, it has been continued with the persevering and liberal encouragement of the legislature; and combined with corresponding exertions for the gradual increase and improvement of the navy, prepares for our extensive country a condition of defence adapted to any critical emergency which the varying course of events may bring forth. Our advances in these concerted systems have for the last ten years been steady and progressive; and in a few years more will be so completed as to leave no cause for apprehension that our sea coast will ever again offer a theatre of hostile invasion.

The next of these cardinal measures of policy, is the preliminary to great and lasting works of public improvement, in the surveys of roads, examination for the course of canals, and labours for the removal of the obstructions of rivers and harbours, first commenced by the act of congress of 30th April, 1824.

The report exhibits in one table the funds appropriated at the last and preceding sessions of congress, for all these fortifications, surveys, and works of public improvement; the manner in which these funds have been applied, the amount expended upon the several works under construction, and the further sums which may be necessary to complete them. In a second, the works projected by the board of engineers, which have not been commenced, and the estimate of their cost.

In a third, the report of the annual board of visitors at the military academy at West Point. For thirteen fortifications erecting on various points of our Atlantic coast, from Rhode Island to Louisiana, the aggregate expenditure of the year has fallen a little short of one million of dollars.

For the preparation of five additional reports of reconnoisances and surveys since the last session of congress, for the civil constructions upon thirty-seven different public works commenced, eight others for which specific appropriations have been made by acts of congress, and twenty other incipient surveys under the authority given by the act of 30th April, 1824, about one million more of dollars have been drawn from the treasury.

To these two millions of dollars are to be added the appropriation of 250,000 dollars, to commence the erection of a breakwater near the mouth of the Delaware river; the subscriptions to the Delaware and Chesapeake, the Louisville and Portland, the Dismal Swamp, and the Chesapeake and Ohio canals; the large donations of lands to the states of Ohio, Indiana, Illinois, and Alabama, for objects of improvements within those states, and the sums appropriated for light houses, buoys and piers on the coast, and a full view will be taken of the munificence of the nation in the application of its resources to the improvement of its own condition.

Of these great national undertakings, the academy at West Point is among the most important in itself, and the most comprehensive in its consequences. In that institution, a part of the revenue of the nation is applied to defray the expense of educating a competent portion of her youth, chiefly to the knowledge and duties of military life. It is the living armoury of the nation. While the other works of improvement enumerated in the reports now presented to the attention of congress are destined to ameliorate the face of nature; to multiply the facilities of communication between the different parts of the union; to assist the labours, increase the comforts, and enhance the enjoyments of individuals—the instruction acquired at West Point enlarges the dominion and expands the capacities of the mind. Its beneficial results are already experienced in the composition of the army, and their influence is felt in the intellectual progress of society. The institution is susceptible still of great improvement from benefactions proposed by several succesive boards of visitors, to whose earnest and repeated recommendations I cheerfully add my own.

With the usual annual reports from the secretary of the navy and the board of commissioners, will be exhibited to the view of congress the execution of the laws relating to that department of the public service. The repression of piracy in the West Indies and in the Grecian seas has been effectually maintained with scarcely any exception. During the war between the governments of Buenos Ayres and of Brazil, frequent collisions between belligerent acts of power and the rights of neutral commerce occurred. Licentious blockades, irregular enlisted or impressed seamen, and the property of honest commerce seized with violence, and even plundered under legal pretences, are disorders never separable from the conflicts of war upon the ocean. With a portion of them, the correspondence of our officers on the eastern aspect of the South American coast, and among the islands of Greece, discover how far we have been involved. In these the honour of our country and the rights of our citizens have been asserted and vindicated. The appearance of new squadrons in the Mediterranean, and the blockade of the Dardanelles, indicate the danger of other obstacles to the freedom of commerce, and the necessity of keeping our naval force in those seas. To the suggestions repeated in the report of the secretary of the navy, and tending to the permanent improvement of this institution, I invite the favorable consideration of congress.

A resolution of the house of representatives requesting that one of our small public vessels should be sent to the Pacific Ocean and South Sea, to examine the coasts, islands, harbors, shoals, and reefs in those seas, and to ascertain their true situation and description, has been put in a train of execution. The vessel is nearly ready to depart; the successful accomplishment of the expedition may be greatly accelerated by suitable legislative provisions; and particularly by an appropriation to defray its necessary expense. The addition of a second and perhaps a third vessel, with a slight aggravation of the cost, would contribute much to the safety of the citizens embarked on this undertaking, the results of which may be of the deepest interest to our country.

With the report of the secretary of the navy, will be submitted, in conformity with the act of congress, of 3d March, 1827, for the gradual improvement of the navy of the United States, statements of the expenditure under that act, and of the measures taken for carrying the same into effect. Every section of that statute contains a distinct provision, looking to the great object of the whole, the gradual improvement of the navy. Under its salutary sanctions, stores of ship timber have been procured, and are in process of seasoning and preservation for the future uses of the navy. Arrangements have been made for the preservation of the live oak timber growing on the lands of the United States, and for its reproduction to supply at future and distant days the waste of that most valuable material for ship building, by the great consumption of it yearly for the commercial as well as for the military marine of our country. The construction of the two dry docks at Charlestown and at Norfolk, is making satisfactory progress towards a durable establishment. The examinations and inquiries to ascertain the practicability and expediency of a marine railway at Pensacola, though not yet accomplished, have been postponed, but not to be the more effectually made. The navy yards of the United States have been examined, and plans for their improvement, and the preservation of the public property therein; at Portsmouth, Charlestown, Philadelphia, Washington, and Gosport; and to which two others are to be added, have been prepared, and received my sanction; and no other portion of my public duties has been performed with a more intimate conviction of its importance to the future welfare and security of the union.

With the report from the postmaster general, is exhibited a comparative view of the gradual increase of that establishment, from five to five years, since 1792, till this time, in the number of post offices, which has grown from less than two hundred to nearly eight thousand; in the revenue yielded by them, which from sixty-seven thousand dollars, has swollen to upwards of a million and a half, and in the number of miles of post roads, which, from five thousand six hundred and forty-two, have multiplied to one hundred and fourteen thousand five hundred and thirty-six. While, in the same period of time, the population of the union has about thrice doubled, the rate of increase of these offices is nearly forty, and of the revenue, and of travelled miles, from twenty to twenty-five for one. The increase of revenue, within the last five years, has been nearly equal to the whole revenue of the department in 1812.

The expenditures of the department, during the year which ended on the first of July last, have exceeded the receipts by a sum of about twenty-five thousand dollars. The excess has been occasioned by the increase of mail conveyances and facilities, to the extent of near eight hundred thousand miles. It has been supplied by collections from the postmasters of the arrearages of preceding years. While the correct principle seems to be, that the income levied by the department should defray all its expenses, it has never been the policy of this government to raise from this establishment any revenue to be applied to any other purposes. The suggestion of the postmaster general, that the insurance of the safe transmission of moneys by the mail might be assumed by the department, for a moderate and competent remuneration, will deserve the consideration of congress.

A report from the commissioner of the public buildings in this city exhibits the expenditures upon them in the course of the current year. It will be seen that the humane and benevolent intentions of congress in providing, by the act of 20th May, 1826, for the erection of a penitentiary in this district, have been accomplished. The authority of further legislation is now required for the removal to this tenement of the offenders against the laws, sentenced to atone by personal confinement for their crimes, and to provide a code for their employment and government while thus confined.

The commissioners appointed conformably to the act of 2d March, 1827, to provide for the adjustment of claims of persons entitled to indemnification under the first article of the treaty of Ghent, and for the distribution among such claimants of the sum paid by the government of Great Britain under the convention of 13th November, 1826, closed their labors on the 30th of August last, by awarding the claimants the sum of one million one hundred and ninety-seven thousand four hundred and twenty-two dollars and eighteen cents; leaving a balance of seven thousand five hundred and thirty-seven dollars and eighty-two cents, which was distributed rateably amongst all the claimants to whom awards had been made, according to the directions of the act.

The exhibits appended to the report from the commissioner of the general land office, present the actual condition of that common property of the union. The amount paid into the treasury from the proceeds of lands, during the year 1827, and the first half of 1828, falls little short of two millions of dollars. The propriety of further extending the time for the extinguishment of the debt due to the United States by the purchasers of the public lands, limited, by the act of 21st March last, to the fourth of July next, will claim the consideration of congress, to whose vigilance and careful attention the regulation, disposal and preservation of this great national inheritance has by the people of the United States been entrusted.

Among the important subjects to which the attention of the present congress has already been invited, and which may occupy their further and more deliberate discussion, will be the provision to be made for taking the fifth census or enumeration of the inhabitants of the United States. The constitution of the United States requires that this enumeration should be made within every term of ten years, and the date from which the last enumeration commenced was the first Monday of August of the year 1820. The laws under which the former enumerations were taken, were enacted at the session of congress immediately preceding the operation. But considerable inconveniences were experienced from the delay of legislation to so late a period. That law, like those of the preceding enumerations, directed that the census should be taken by the marshals of the several districts and territories, under instructions from the secretary of state. The preparation and transmission to the marshals of those instructions, required more time than was then allowed between the passage of the law and the day when the enumeration was to commence. The term of six months, limited for the returns of the marshals, was also found even then too short; and must be more so now, when an additional population of at least three millions must be presented upon the returns. As they are to be made at the short session of congress, it would, as well as from other considerations, be more convenient to commence the enumeration from an earlier period of the year than the first of August. The most favorable season would be the spring. On a review of the former enumerations, it will be found that the plan for taking every census has contained improvements upon that of its predecessor. The last is still susceptible of much improvement. The third census was the first at which any account was taken of the manufactures of the country. It was repeated at the last enumeration, but the returns in both cases were necessarily very imperfect. They must always be so, resting of course only on the communications voluntarily made by individuals interested in some of the manufacturing establishments. Yet they contained much valuable information, and may, by some supplementary provision of the law, be rendered more effective. The columns of age, commencing from infancy, have hitherto been confined to a few periods, all under the number of 45 years. Important knowledge would be obtained by extending those columns, in intervals of ten years, to the utmost boundaries of human life. The labour of taking them would be a trifling addition to that already prescribed, and the result would exhibit comparative tables of longevity highly interesting to the country. I deem it my duty further to observe, that much of the imperfections in the returns of the last and perhaps of preceding enumerations, proceeded from the inadequateness of the compensations allowed to the marshals and their assistants in taking them.

In closing this communication, it only remains for me to assure the legislature of my continued earnest wish for the adoption of measures recommended by me heretofore, and yet to be acted on by them; and of the cordial concurrence on my part in every constitutional provision which may receive their sanction during the session, tending to the general welfare.

JOHN QUINCY ADAMS.

Washington, December 2, 1828.

HILLSBOROUGH.

Wednesday, December 10.

The Congress of the United States commenced its session at the City of Washington on Monday the 1st instant. The Message of the President was communicated on Tuesday, and to make room for it in our columns to-day we have excluded every thing else. We trust, however, that with most of our readers the want of variety will be compensated by the interest contained in the document.

NOTICE.

WILL be sold, at the court house in Hillsborough, on Monday the 29th instant, a likely Negro Man named Gabriel, the property of Henry Evans, deceased, on a credit of twelve months. Gabriel is about thirty-five years old, an excellent shoe and boot maker, and very healthy. Bond and approved security will be required from the purchaser.

Thos. Hutchins, *Guardian.*

Dec. 3. 59—3wp

Five Cents Reward.

RAN away from the subscriber, an indented apprentice named ANDERSON BROCKWELL, eighteen years of age, and dark complexion. Five cents reward will be given for his apprehension, but no charges paid. All persons are forbid harboring or employing him under the penalty of the law.

Christopher Barbee.

Nov. 29 59—3w

State of North Carolina,

ORANGE COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1828.

Hart Lewis v. *Joel Cate.* } Original attachment, levied on defendant's land.

IT appearing to the satisfaction of the court, that the defendant, Joel Cate, is not an inhabitant of this state, or so secludes himself that the ordinary process of law cannot be served on him; it is therefore ordered, that publication be made in the Hillsborough Recorder for six weeks, successively, that unless the said Joel Cate appear at our next Court of Pleas and Quarter Sessions, to be holden for the county of Orange, at the court-house in Hillsborough, on the fourth Monday of February next, then and there replevy and plead, judgment by default final will be entered against him, and the property levied on condemned subject to plaintiff's recovery.

Test,

J. Taylor, c. c. c.

Price adv. $2 75. 59—6w

State of North-Carolina,

ORANGE COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1828.

John Bonner v. *Joel Cate.* } Original attachment, levied on defendant's lands.

IT appearing to the satisfaction of the court, that the defendant, Joel Cates, is not an inhabitant of this state, or so secludes himself that the ordinary process of law cannot be served on him; it is therefore ordered, that publication be made in the Hillsborough Recorder for six weeks, successively, that unless the said Joel Cate appear at our next Court of Pleas and Quarter Sessions, to be holden for the county of Orange, at the court house in Hillsborough, on the 4th Monday of February next, then and there replevy and plead, judgment by default final will be entered against him, and the property levied on condemned, subject to plaintiff's recovery.

Test,

J. Taylor, c. c. c.

Price adv. $2 75. 59—6w

State of North-Carolina,

Orange County.

Court of Pleas and Quarter Sessions, November Term, 1828.

John Hutchins v. *Benjamin Rhodes.* } Original attachment, levied on defendant's land.

IT appearing to the satisfaction of the court, that the defendant, Benjamin Rhodes, is not an inhabitant of this state, or so secludes himself that the ordinary process of law cannot be served on him; it is therefore ordered that publication be made in the Hillsborough Recorder for six weeks successively, that unless the said Benjamin Rhodes appear at our next Court of Pleas and Quarter Sessions, to be holden for the county of Orange, at the court house in Hillsborough, on the fourth Monday of February next, then and there replevy and plead, judgment by default final will be entered against him, and the property levied on condemned, subject to plaintiff's recovery.

Test,

J. Taylor, c. c. c.

Price adv. $2 75. 59—6w

TO THE EVENING STAR.

O, sacred star of evening, tell
In what unseen celestial sphere
Those spirits of the perfect dwell,
Too pure to rest in sadness here.

Roam they the fields of chrystal light,
O'er paths alone by angels trod,
Their robes with heavenly lustre bright,
Their home the paradise of God?

Soul of the just! and canst thou soar
Amidst those radiant spheres sublime,
Where countless hosts of heaven adore,
Through the unbounded march of time?

And canst thou join the sacred choir,
Thro' heaven's high dome the strain to raise,
Where seraph's strike the golden lyre
In everlasting notes of praise?

Oh! who would dread the chilling blast
That blows o'er time's eventful sea,
If doom'd to hail, those perils past,
The bright waves of eternity!

And who the sorrows would not bear
Of such a transcient world as this,
When hope displays beyond its care,
So fair an entrance into bliss?

From the Richmond Enquirer.

INTERESTING MEMOIR.

We have the pleasure of laying before our readers this morning a narrative of the gallant and generous times of the Revolution, which may refresh our readers after the dark and turbid scenes which have so recently expired. We are indebted for this memoir to Judge Johnston of the General Court, who was a friend and fellow soldier of the gallant Laurens. Laurens was a son of the distinguished American who was thrown into the tower of London. The son was worthy of the sire. He is described, by those who were best acquainted with him, as realizing the *beau ideal* of the character of the Chevalier Bayard—as a man *without fear and without reproach.*

In the sixth year of the war of independence, the events of the campaign had been very adverse to the American arms; and, at the close of 1780, the resources of the United States were in extreme depression. General Lincoln, who commanded in the Southern department, after a brave and protracted defence of Charleston against the army and fleet under Sir Henry Clinton and Admiral Arbuthnot, was compelled to capitulate, and to surrender his gallant garrison prisoners of war. By this success, and the subsequent defeat of Gen. Gates, at Camden, the British forces gained a control in the South, which threatened the most extreme and disastrous consequences. The main army, under General Washington, reduced by detachments to the southern states, was badly clothed, irregularly provisioned and without pay. The magazines were empty, the treasury exhausted, and the public credit of no avail. In this alarming crisis of the national affairs, Gen. Washington convened a council of his most confidential officers, a faithful and minute representation was submitted to Congress; and it was respectfully suggested, as the most immediate means of relief, that a special minister should be sent to France, to solicit a loan of money, and supplies of clothing and military stores, with a request, that a naval superiority might rendezvous on the American coast at an appointed time, to enable the commander in chief to undertake offensive operations against the dispersed posts of the enemy.—Congres acceded to the opinions of this interesting communication, and referred the nomination of Minister to Gen. Washington, whose selection of the "all accomplished Laurens" justified the confidence of Government, and secured the completion of this important trust. As Aid-de-Camp of Gen. Washington, Col. Laurens was fully informed of every circumstance that could give furtherance to the negociation: and writing and speaking the French language with classical purity, he possessed, in an eminent degree, the power of illustrating all its objects. By the partiality of his gallant friend, the writer of this memoir was appointed Secretary of the mission.

On the 9th of February, 1781, we sailed from Boston, in the frigate Alliance, Capt. Barry, and arrived at L'Orient in twenty days. Pursuing, without delay, his route to Paris, Col. Laurens met the Marshal de Castries minister of marine, then on a visit to the seaports at Hennebona; and having announced himself to the Marshal, he very politely ordered relays of horses, to expedite our journey. On his arrival at Paris, Colonel Laurens entered on his mission, with every advantage which distinction of character, ardent zeal of disposition, and consummate ability to demonstrate the reciprocal interests of America and France, in its successful accomplishment, could confer. Having delivered his credentials, and been graciously received at Court, memorials, explanatory of all the views and objects of his appointment, were presented to the Count de Vergennes, minister of foreign relations, and they were repeated and enforced by personal interconrse, from the 6th of March to the 2d of May, when Col. Laurens conceived from the protracted state of the negociation, that it was the policy of the cabinet of France, by delaying the aid which he solicited, to exhaust the power and resources of Britain and America, and to render both subservient to her views. Under this impression, and a belief that this was rather the policy of the ministers, than of the King, Colonel Laurens decided to prepare a memorial, which should condense all the essential points that had been heretofore stated, and which he determined to place in the King's own hand.—This memorial, embracing a luminous statement of facts, with clear deductions from them, was accordingly prepared: and, on the morning of the day when it was to be presented, we went to the Cabinet of the Count de Vergennes, where we found Dr. Franklin and the Count. Colonel Laurens, introducing the subject of his mission with his usual animation, was urging the necessity of a compliance with his solicitation, when the Count de Vergennes, in a manner at once smiling and sarcastic observed, "Col. Laurens, you are so recently from the head quarters of the American army, that you forget you are no longer delivering the orders of the commander in chief, but that you are addressing the minister of a Monarch, who has every disposition to favor your country."—Col. Laurens, rising from his chair with some emotions, stepped to the opposite side of the room, and returning to the Count, expressed himself in nearly the following words:—"Favor, sir! the respect which I owe my country will not admit of the term. Say that the aid is mutual, and I cheerfully subscribe to the obligation. But as the last argument I shall use with your excellency, the sword which I now wear in defence of France, as well as of my own country, unless the succor I solicit is immediately accorded, I may be compelled, within a short time, to draw against France, as a British subject." The force of this brief, but appropriate remonstrance, was keenly felt by the first diplomatist of Europe, and some time elapsed before the Count de Vergennes was sufficiently collected to say, "Mais voila le bon Monsieur Franklin, qui est tres content de nous." "No one" (replied Colonel Laurens) "respects that venerable gentleman more than I do: but, to repeat your excellency's observation, I am so recently from the Head Quarters of the American army, that many circumstances, of the highest interest, are familiar to me, which are yet unknown to that worthy man. I must now inform your excellency, that my next memorial will be presented to His Majesty, in person. I have the honor to salute you respectfully"—and left the room. On reaching the door, Col. Laurens asked my opinion of what had passed. I told him, it exceeded all I had imagined of the interview. "No matter," said he, "let us go to the inn, and dress for Court, where the act must finish." (The court was at that time in mourning for the empress Maria Theresa, the queen's mother, but we were indulged in wearing our uniform, with crapes on our arms and swords.) The special Minister of the United States of America was announced, and we entered the audience apartment, where the King was standing in the centre of a semi-circle, having the old Count Maurepas on his right, and the Count de Vergennes on his left. Having bowed to His Majesty, Colonel Laurens, instead of passing among the foreign ministers, advanced towards the King, saluted him a second time; and, approaching nearer to him, presented the memorial, which was received under some embarrassments: for, although as being an accredited minister it could not be refused, the innovation on the forms of the Court was altogether unexpected; and the King passed the paper across Count de Vergennes to the Marquis de Segur, the minister of war, who put it in his pocket. The looks of all present marked their surprise. When the ceremonial of the Levee was over, we went to the inn, where we dined; and, on our return to Paris, in going by Dr Franklin's house at Passy, I asked Colonel Lauren's if he would not stop, and see the Doctor. He said he would see no one, until he knew the result of that day's proceeding. The next morning, while at breakfast, he received the following note:

"Mr. Neckar presents his compliments to Col. Laurens, and requests the honor of an interview at 12 o'clock."

"Here is something," said Colonel Laurens—"let us dress, and pay our respects to Madame Neckar." On entering the drawing room, we found Mr. and Madame Neckar, and the late Madame de Stael, at that time a young lady, about 18 years old. The ladies having retired, Mr. Neckar said to Col. Laurens, I have the honor to inform you, by instruction of His Majesty, that the loan, which you solicited in your memorial of yesterday, is accorded. The fifteen hundred thousand livres, which you request may be sent to Major Jackson at Amsterdam, for the purchase of military stores, will be forwarded from Brussels: and any other accommodation, connected with my department, will be cheerfully granted." On the next day, a similar interview with Col. Laurens was requested by the Marshal de Castries, who said, "I am directed by His Majesty to inform you, that the Count de Grasse, who is now at Brest with 25 ships of the line, bound for the West Indies, will, comformably to the request in your memorial of yesterday, rendezvous on the American coast at the time General Washington shall point out. The howitzers which you want cannot be furnished from the marine arsenal, as we have none of that calibre: but Maj. Jackson will be able to procure them in Holland. The frigate Resolve will carry you to America with such part of the money as you may wish to take with you. Any other facility, within my department, will be accorded."

Thus was this important negociation which was certainly the hinge on which the success of the revolution then turned, brought to a happy close, by the wisdom and decision of a youth, who had not yet attained his twenty-eighth year; but, whose matured mind and heroic spirit admitted no other rule of official conduct, than the honor and interest of his beloved country.

Having returned from the successful accomplishment of his important mission, in which he had negociated the rendezvous and co-operation of the French Fleet on the American coast, Colonel Laurens resumed his military functions, and was eminently distinguished at the siege of York Town, where, leading the assault of one of the British redoubts, he saved the life of the officer who commanded it, and made him his prisoner.

Being appointed commissioner for the capitulation, on the part of Gen Washington, he met Col. Ross, of the British army, aid de camp to Lord Cornwallis, and commissioner on behalf of the garrison. Having placed the terms on which a capitulation would be granted before Col. Ross, that gentleman observed, "this is a harsh article." "Which article?" said Col. Laurens. "The troops shall march out with colors cased and drums beating a British or a German march." "Yes, sir," replied Colonel Laurens, with some sang froid, "it is a harsh article." "Then, Col. Laurens, if that is your opinion, why is it here?" "Your question Col. Ross, compels an observation which I would have suppressed: you seem to forget, sir, that I was a capitulant at Charleston, when Gen. Lincoln, after a brave defence of six weeks, opened trenches, by a very inconsiderable garrison, against the British army and fleet, under Sir Henry Clinton and Admiral Arbuthnot—and when your lines of approach were in pistol shot of our field works, was refused any other terms for his gallant garrison, than marching out with colors cased, and drums not beating a British or German march." "But," rejoined Col. Ross, "Lord Cornwallis did not command at Charleston." "Here, sir," said Col. Laurens, "you extort another declaration. It is not the individual that is here considered: it is the nation. This remains an article, or I cease to be a commissioner." The result was conformed to this just retribution: The British army marched with colors cased, and drums beating a British or German march.

The war in the North being closed by the capture of this army, Col. Laurens, impelled by ardent patriotism, hastened to the Southern army, where fresh laurels awaited his gallant exertions; and where his country was to witness his devotion, even to death, in her cause. The writer of the present article, who was then assistant secretary at war, received his last letter, in which he says—"I am writing to you from a sick bed; but I have just heard that Gen. Greene has ordered a detachment to intercept a party of the British. I shall ask the command, and, if refused, I go as a volunteer." General Greene, anxious for the recovery of his health, would have declined the request of Col. Laurens; but, his determination to go as a volunteer, decided him to grant it.*—It would appear, that by some unavoidable accident, some troops, debarked to the support of his party did not reach Cambahee in time to prevent an attack by a very superior force, and, in the charge, he was mortally wounded, and fell from his horse, his party cutting their way through the enemy.

Such was the close, while yet in its bloom, of his illustrious life, through which he had exhibited such proofs of devoted patriotism, heroic valor, and splendid talents as would have secured to him the first honors of his country, as they have impressed the deepest regret for his loss, and the heart-felt tribute of gratitude to his memory.

The following observation by Lord Cornwallis, which passed in conversation after the capitulation at York Town, attests the high estimation in which the officers, to whom it refers, were held by his Lordship. He said, "there could be no more formidable antagonist, in a charge, at the head of his cavalry, than Col. William Washington—And, that he had never taken a position, in the vicinity of Gen. Greene's army, that Col. Henry Lee did not find out his weak points, and strike at it before morning."

☞ The foregoing authentic document is a communication made by Major William Jackson, to Major Alexander Garden, at Philadelphia, in Sept. 1822 or '23.

* This is a mistake. Gen. Gist of Maryland, commanded the detachment, and Col. Laurens fell at the head of an advanced party, which he believed would be supported by the General, who managed the expedition most unfortunately and injudiciously. Laurens went as a volunteer, and was the victim of his own intemperate courage.

Our correspondent authorizes us to say, that he speaks from his own knowledge; because he witnessed his death and the circumstances attending it.

According to the notes of a person attached to the head quarters of Count Wittgenstein, the army of Bessarabia, on its arrival before Chumla, numbered 85 000 effective men, including the corps engaged in the siege of Varna; he loss experienced by it is estimated at from 25 to 30.000, including the sick. There were also 4.000 horses destroyed. But some of the London editors accused the German papers of having told lies, to the disadvantage of the Russians. Still, it is certain, that in consequence of the recent Russian disasters, Nicholas had ordered a levy of four men out of 500, by which it was calculated that 240,000 would be immediately raised. At this rate, the population of Russia will be materially reduced by the sword, disease and famine.

Singular Fact.—A youth who had been dumb from his infancy, was unfortunately drowned at Laxey yesterday week, whilst bathing; and most singular to say, when he was on the point of sinking, he spake for the first time in his life, by calling on his brother to save him, who was a spectator of the heart-rending scene. *Isle of Man Advertiser.*

Mr. Kent, receiver for the New York Franklin Bank, states, in an expose of the affairs of that institution, that the stockholders will lose every thing, and that the creditors, either note holders or depositors, will only receive fifty cents on the dollar, and probably not so much.

A fire broke out at Norfolk on the morning of the 19th ult. which destroyed the building occupied by the banking establishment of Mr. J. Graham, together with a quantity of flour and bread designed for the United States frigate Guerriere.

PUBLIC SALE.

WILL be sold, on Friday the 26th day of December, at the late residence of William Cabe, deceased,

Fourteen or fifteen likely Negroes,

on a credit of twelve months, the purchaser giving bond with two good securities. Also the wood work of a wagon, with several other articles, will be sold at the same time.

Wm. Brown, *Adm'r.*

Nov. 29. 58—3w

TRUST SALE.

BY virtue of a deed of trust to me executed by ANDREW DAVIS, to secure the payment of certain debts therein mentioned, I shall, on Monday the 13th day of January next, expose to public sale, at the residence of the said Andrew Davis, the Plantation on which he now resides, containing

Two Hundred and Fifty Acres.

on which is a Threshing Machine and Cotton Gin, and other necessary buildings.

Also five head of horses, seven head of cattle,

one yoke of oxen, and cart, about forty-five sheep, and fifteen hogs, one wagon and gear, three saddles, two feather beds and furniture, a variety of household and kitchen furniture, and many other things. Terms made known on the day of sale. Creditors are requested to attend.

John Newlin, *Trustee.*

Chatham county, Nov. 29. 58—

TRUST SALE.

BY virtue of a deed in trust, executed by CHARLES JONES to the subscriber, for certain purposes therein mentioned, I shall offer for sale, before the court house in Hillsborough, on the 31st day of December inst. the tract of LAND mentioned in said trust, and whereon the said Charles Jones now resides, upon the waters of New Hope. Terms cash.

A. B. Bruce, *Trustee.*

December 2. 58—3w

NOTICE.

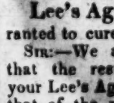
LETTERS of administration having been granted to the subscribers, at November term of the Court of Pleas and Quarter Sessions, on the estate of JOHN THOMPSON, deceased, all persons indebted to said estate are requested to make immediate payment, and those having claims against it are requested to present them to John Newlin, properly authenticated, within the time prescribed by law, or this notice will be plead in bar of their recovery.

John Newlin, }
Robt. Thompson, } *Adm'rs.*

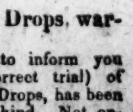
Orange County, Nov. 29. 58—3w

PUBLIC SALE.

WILL be exposed to public sale, at the late residence of John Thompson, deceased, on Monday the 23d day of December, all the personal property of said deceased, consisting of



horses, cattle,



hogs, household and kitchen furniture, farming utensils, cooper's tools, a quantity of staves, one wagon and gear, a quantity of corn, wheat and oats. Twelve months credit will be given, the purchaser giving bond with approved security.

John Newlin, *Adm'r.*

Orange county, Nov. 29. 58—3w

NOTICE.

AT the November term of the Court of Pleas and Quarter Sessions, the subscriber qualified as executor to the last will and testament of JONATHAN LINDLEY, deceased in the state of North Carolina; therefore all within the state indebted to said estate, are requested to make immediate payment.

John Newlin. *Executor.*

Orange county, 11th month, 29th.

LEE'S

ORIGINAL HIGHLY APPROVED VALUABLE MEDICINES.

TWENTY YEARS.

Lee's Elixer has, for 20 years, been a most successful medicine for the cure of colds, coughs, spitting of blood, asthma, indicative consumption, and other complaints of the lungs and breast, as many of our citizens have certified.

To Mr. Noah Ridgely, Baltimore.

Dear Sir:—I was attacked with a most violet cold, and severe cough, and pains in the breast which continued to grow worse, during which my appetite failed, and my voice altered so much, that it was with the utmost exertion I could pronounce a single sentence louder than breath. I bought, and used one phial of your valuable Elixir, which restored me to perfect health.

Yours with respect, J. A. SMITH,
Market street, Fell's Point.

Lee's Famous Anti-Bilious Pills.—LEE'S unparalleled Anti Bilious Pills—price 25 and 50 cents per box—famous for the cure of bilious and the destructive fevers, obstinate obstructions of the stomach and bowels, giddiness, costiveness, sickness at stomach, removing colds, &c. &c. (None are genuine without the the signature of Noah Ridgely.

Dear Sir:—Having made use of the various pills in my family, offered to the public for the last twenty five years, and having found your celebrated Anti Bilious Pills the most efficacious in cleansing the stomach and bowels, removing head aches, sick stomach, and having used them for several years past, can have no hesitation in stating that I believe them (as represented,) a most valuable Family Medicine. JACOB SMALL,
Mayor of the City of Baltimore.

To Mr. Noah Ridgely.

Lee's Ague and Fever Drops, warranted to cure.

Sir:—We are now happy to inform you that the result (after a correct trial) of your Lee's Ague and Fever Drops, has been that of the most flattering kind. Not only a few cases have been cured of that very disagreeable and irksome complaint, but sir, every case, so far as our inquires have reached, has been perfectly cured; and some indeed by a few doses only. We desire to remain, sir, yours, respectfully,

O'NEAL, RICHMOND & CO.
Middletown, Md.

To Mr. Noah Ridgely, Baltimore.

Lee's Nervous Cordial, an excellent Medicine for all nervous affections, weakness, pains in the loins, back, &c.

Lee's Genuine Essence and Extract of Mustard—An infallible remedy for Bruises, Rheumatism, Sprains, Numbness, Chilblains, &c. &c.

Mr. Noah Ridgely, Sir:—I have been so greatly afflicted with Rheumatic pains, as to loose, entirely, the use of my right leg, thigh, and hip, indeed it extended to my shoulder. By the use of the bottle I purchased of you, I am perfectly cured. THOS. WOOTEN,
Two miles on the Washington road.

Lee's worm destroying Lozenges, a most powerful Medicine, removes and destroys all kinds of worms.

Lee's Sovereign Ointment for the Itch.—Warranted to cure by one application, free from Mercury or any pernicious ingredients.

Lee's Genuine Persian Lotion.—The Persian Lotion operates mildly, rendering the skin delicately soft and smooth, improving the complexion.

Lee's Tooth Ache Drops—which give immediate relief.

Lee's Eye Water—a certain cure for sore eyes.

Lee's Anodyne Elixir—for the cure of head ache.

Lee's Corn Plaster—for removing and destroying corns.

Lee's Lip Salve.

The above highly approved Medicines are sold by

Wm. Huntington,
Hillsborough,

who has just received a fresh supply.

CAUTION. None are genuine without the maker's name to them, Noah Ridgely, (late Michl. Lee & Co.)

☞ Hundreds of cases of cures performed by the above truly valuable medicines could be given, did the limits of a newspaper admit of it.

September 9. 46—13teow